

# United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **INTEGRATED PLATFORM AND FUEL CELL COOLING**.

The specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

**N such claim for priority is being made at this time.**

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**N such claim for priority is being made at this time.**

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**No such claim for priority is being made at this time.**

Attorney Docket No.: 80107.079US1

Page 2 of 4

Serial No. not assigned

Filing Date: here with

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Aldous, Alan	Reg. No. 31,905	Huter, Jeffrey B.	Reg. No. 41,086	Seddon, Ken	Reg. No. 43,105
Bacon, Shireen	Reg. No. 40,494	Kalson, Seth	Reg. No. 40,670	Seeley, Mark	Reg. No. 32,299
Brake, Edward	Reg. No. 37,784	Lam, Peter	Reg. No. 44,855	Shah, Ami P.	Reg. No. 42,143
Burge, Ben	Reg. No. 42,372	Lin, Isaac	Reg. No. 50,672	Simon, David	Reg. No. 32,756
Chang, Robert	Reg. No. 48,765	Lundmark, David C.	Reg. No. 42,815	Skabrat, Steve	Reg. No. 36,279
Chen, George	Reg. No. 50,807	Martinez, Anthony	Reg. No. 44,223	Steiner, Paul E.	Reg. No. 41,326
Choi, Glen	Reg. No. 43,546	Mennemeier, Larry	Reg. No. 51,003	Stutman-Horn, Joni	Reg. No. 42,173
Cool, Kenneth J.	Reg. No. 40,570	Nagy, Paul	Reg. No. 37,896	Tran, David	Reg. No. 50,804
Dracger, Jeffrey S.	Reg. No. 41,000	Nicholls, Dennis A.	Reg. No. 42,036	Wells, Calvin	Reg. No. 43,256
Faatz, Cindy	Reg. No. 39,973	Parker, Larry	Reg. No. 44,281	Willardson, Michael	Reg. No. 50,856
Gagne, Christopher	Reg. No. 36,142	Plimier, Michael D.	Reg. No. 43,004	Winkle, Robert G.	Reg. No. 37,474
Green, Sharmini N.	Reg. No. 41,410	Proksch, Michael	Reg. No. 43,021	Wong, Sharon	Reg. No. 37,760
Greenberg, Robert A.	Reg. No. 44,133	Reif, Kevin A.	Reg. No. 36,381	Yates, Steven D.	Reg. No. 42,242
Greenwald, Bradley A.	Reg. No. 34,341	Sayles, Crystal D.	Reg. No. 44,318	Young, Charles	Reg. No. 39,435
				LeMoine, Dana	Reg. No. 40,062

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct LeMoine Patent Services, PLLC to the contrary.

Please direct all correspondence in this case to LeMoine Patent Services, PLLC at the address indicated below:

c/o PortfolioIP  
P.O. Box 52050, Minneapolis, MN 55402  
Telephone No. 952-473-8800

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Michael J Roche

Citizenship: United States of America

Residence: Pleasanton, CA

Post Office Address: 5022 Foothill Rd  
Pleasanton, CA 94588

Signature: \_\_\_\_\_

Michael J Roche

Date: \_\_\_\_\_

9/15/03

☒ Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: 80107.079US1  
Serial No. not assigned  
Filing Date: here with

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Full Name of joint inventor number 2 : Himanshu Pokharna

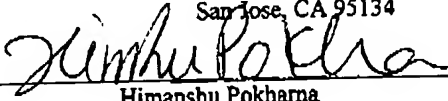
Citizenship: India

Residence: San Jose, CA

Post Office Address: 439 Camille Circle  
Unit 13

San Jose, CA 95134

Signature: \_\_\_\_\_

  
Himanshu Pokharna

Date: \_\_\_\_\_

Sep 15, 2003

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Full Name of joint inventor number 3 : Eric DiStefano

Citizenship: United States of America

Residence: Livermore, CA

Post Office Address: 1535 Frankfurt Way  
Livermore, CA 94550

Signature: \_\_\_\_\_

  
Eric DiStefano

Date: \_\_\_\_\_

Sept 15, 2003

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§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

RECORDATION FORM COVER SHEET  
PATENTS ONLY

Atty Ref/Docket No.: 80107.079US1

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Michael J Roche, Himanshu Pokharna and Eric DiStefano

2. Name and address of receiving party(ies):

Name: Intel Corporation

Street Address: 2200 Mission College Blvd.

City: Santa Clara State: CA Zip: 95052

Additional name(s) of conveying party(ies) attached?  
[ ] Yes [X] No

3. Nature of conveyance:

Additional name(s) & address(es) attached? [ ] Yes [X] No

[X] Assignment [ ] Merger  
[ ] Security Agreement [ ] Change of Name  
[ ] Other

Execution Date: September 15, 2003, September 15, 2003, September 15, 2003

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: September 15, 2003, September 15, 2003, September 15, 2003

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? [ ] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Dana LeMoine

Address: LeMoine Patent Services, PLLC  
c/o PortfolioIP  
P.O. Box 52050  
Minneapolis, MN 55402

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

[ ] Enclosed

[X] Authorized to be charged to deposit account

8. Please charge any additional fees or credit any over payments to our Deposit account number: 50-2359

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Dana LeMoine/Reg. No. 40,062

Name of Person Signing

Dana B. LeMoine

Signature

September 15, 2003

Date

Total number of pages including cover sheet: 2

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Mail Stop Assignment Recordation Services  
P.O. Box 1450  
Alexandria, VA 22313-1450

### ASSIGNMENT

WHEREAS, We, Michael J Roche, residing at 5022 Foothill Rd, Pleasanton, CA 94588, and Himanshu Pokharna, residing at 439 Camille Circle, Unit 13, San Jose, CA 95134, and Eric DiStefano, residing at 1535 Frankfurt Way, Livermore, CA 94550, made certain new and useful inventions and improvements for which we executed an application for Letters Patent of the United States on even date herewith, which is entitled INTEGRATED PLATFORM AND FUEL CELL COOLING:

AND WHEREAS, Intel Corporation, a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having an office and place of business at 2200 Mission College Blvd., Santa Clara, CA 95052 (hereinafter "Assignee"), is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, continuations-in-part, or renewals thereof, all Letters Patent which may be granted there from, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted there from; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the said Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the said Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore, we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 15 day of sept, 2003.

Michael J. Roche  
Michael J. Roche

IN TESTIMONY WHEREOF, I have hereunto set my hand this 15<sup>th</sup> day of September, 2003.

Himanshu Pokharna  
Himanshu Pokharna

IN TESTIMONY WHEREOF, I have hereunto set my hand this 15<sup>th</sup> day of September, 2003.

Eric DiStefano  
Eric DiStefano